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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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**Legal Staff  
International Division**

1. This Petition and Statement Under 37 CFR ' 1.47 is being submitted because one of the two joint inventors, namely Roman Mathiuet, cannot be found or reached after diligent effort and is thus unavailable to sign the Declaration under 37 CFR ' 1.63.

2. The undersigned is patent counsel for the inventors in Switzerland and with respect to certain related International applications.

3. The last known address for the nonsigning inventor, Roman Mathiuet, is Kiesweid 17, 8340 Hadlikon, Switzerland.

4. The following efforts have been undertaken in an effort to locate Roman Mathiuet:

- The Declaration had been sent to KABA Schliesssysteme AG, Wetzikon, Switzerland on November 29, 2001 to be signed by the inventors. A copy of that letter is enclosed. At that time KABA Schliesssysteme AG was known to us as the employer of Roman Mathiuet. The declaration was returned, unsigned by the inventor Roman Mathiuet.
- A telephonic contact on December 13 2001 with Ms. Lotto from KABA Schliesssysteme AG revealed that Roman Mathiuet is not working for KABA any more. Roman Mathiuet is on a trip around the world with unknown destination, unknown whereabouts and no contact address. A copy of our notes from to this telephone conversation is enclosed.
- On April 24, 2002 a registered letter including the Declaration was sent to the last known address of Roman Mathiuet. This letter came back unanswered. The original of this letter including the envelope is also enclosed.
- June 20, 2002: Another telephone call to KABA Schliesssysteme for any new information on the present location of Roman Mathiuet. They could give us no new information.

- Several telephone books of Switzerland were considered, especially the official electronic telephone book of Switzerland. There is no entry under the name of Roman Mathiuet. Two copies of telephone book extracts showing this result are enclosed.
- All telephone book entries for the name Mathiuet in Switzerland were used to contact persons named Mathiuet to find any relatives of Roman Mathiuet. His brother and father could be located. However, his brother, Daniel Mathiuet, could presently not be contacted due to absence. His father, Karl Mathiuet, said he knows where Roman Mathiuet is, that he has a telephone number and that he can contact him. However, he was not cooperative. He did not give us any information related to his son's location nor did he forward any information from our side to his son, so that Roman Mathiuet could have contacted us.
- We sent a fax to the registration office of the local administration of Hinwil, Switzerland, where Roman Mathiuet was last registered. In certain cases they have new contact addresses. There is no answer so far. A copy of this fax is also enclosed.

5. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false

statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.



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Willi Lanker

Date: June 24, 2002

**ATTACHMENTS TO  
PETITION AND STATEMENT UNDER 37  
CFR '1.47**

(Date: June 24, 2002)

Serial No. 10/018,060  
Filing Date: December 10, 2001

# Frei Patentanwaltsbüro

European Patent Attorneys  
Conseils en Brevets Européens

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Postfach 768  
CH-8029 Zürich

Kaba Schliesssysteme AG  
zHv. Herrn O. Küng  
Postfach  
CH-8620 Wetzikon

Visiting address  
Forchstrasse 420  
CH-8702 Zollikon  
(Zürich)

29. November 2001/RM

**US-Patentanmeldung Nr. PCT/CH01/00207**

**"Security reversible key and locking system"**

Ihr Zeichen: ---

Unser Zeichen: P1651 US

Sehr geehrter Herr Küng

Als Anlage erhalten Sie folgende Dokumente:

- ☐ Vollmacht
- ☒ "Assignment"
- ☒ "Declaration"

Bitte senden Sie uns diese Dokumente datiert und von den Unterschriftsberechtigten signiert in den nächsten Tagen retour.

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<http://www.frei-patent.com>  
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8405 Winterthur  
Tel. 052/232 43 66  
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Kto. 338214.01U

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## DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

As the below named inventor(s), I/we declare that:

This declaration is directed to:

☐ The attached application, or

☒ Application No. PCT/CH01/00207, filed on April 2, 2001,

☐ as amended on \_\_\_\_\_ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/ we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part application, if applicable; and

All statements made herein of my/own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

### FULL NAME OF INVENTOR(S)

Inventor one: Arno Kleinhaeni Date: X

Signature: X Citizen of: CH

Inventor two: Roman Mathiuet Date: X

Signature: X Citizen of: CH

Inventor three: \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_ Citizen of: \_\_\_\_\_

Inventor four: \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_ Citizen of: \_\_\_\_\_

☐ Additional inventors are being named on \_\_\_\_\_ additional form(s) attached hereto.

Burden Hour Statement: This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is used by the public to file (and the PTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 1 minute to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

## ASSIGNMENT

WHEREAS, new and useful improvements have been made by the undersigned in

### SECURITY REVERSIBLE KEY AND LOCKING SYSTEM

that are the subject of an application for a U.S. Patent, (Application Number \_\_\_\_\_, filed \_\_\_\_\_), which application is further identified as Rankin, Hill, Porter & Clark LLP Docket NO. FRR-12782.

WHEREAS, KABA SCHLIESSYSTEME AG, a corporation of Switzerland, and having a place of business at Mühlebühlstrasse 23, CH-8620 Wetzikon, Switzerland, hereinafter referred to as "assignee", is desirous of acquiring all right, title, and interest throughout the world in, to, and under said improvements and inventions and patent rights therefor.

NOW, THEREFORE, be it known that, for valuable consideration, the receipt and sufficiency of which are hereby acknowledged, all right, title, and interest, in the United States and throughout the world, in, to and under said improvements and inventions and all patents, patent applications, patent rights, and inventor's certificates thereof, therefor, and therein, including without limitation said application for patent in the United States, all divisions and continuations thereof, all patents which may be granted thereon, all reissues and extensions thereof, all right to sue for past infringement thereunder, all patents which may be granted for said improvements and inventions by states or nations other than the United States, or by other authority, entity, or organization, and all applications therefor, have been and are hereby sold, assigned, transferred, and delivered unto assignee, its successors and assigns; and it is covenanted and agreed by the undersigned, and for executors, administrators, and legal representatives of the undersigned, that at assignee's request any and all applications, affidavits, assignments, and other instruments will be made, executed, and delivered as may be necessary, or desirable to secure for or vest in assignee, its successors or assigns, any improvement, inventions, right, title, interest, application, patent, patent right or other right or property covered by this assignment, and the United States Commissioner of Patents and Trademarks is hereby requested and authorized to issue any and all United States patents granted on any of said applications to assignee as owner of the entire right, title, and interest in, to, and under the same, and appropriately empowered officials of foreign countries are hereby authorized to issue any letters patent granted on any of said applications to assignee as owner of the entire right, title and interest in, to, and under the same.

The undersigned hereby grants the firm of Rankin, Hill, Porter & Clark LLP the power to insert on this assignment any further identification which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.



IN WITNESS WHEREOF, this assignment has been executed below by the undersigned:

(1) Inventor Name (joint): Arno Kleinhaeni

Signature: X

Today's Date : X

Witness: X

Witness: X

(2) Inventor Name (joint): Roman Mathiuet

Signature: X

Today's Date : X

Witness: \_\_\_\_\_

Witness: X

13.12.01 / AH

tel. mit Frau Lott von Walter  
Gehlfuss EV für den

ROMAN MATHIET

→ Frau Lott klärt ab,  
ob Mathiet wieder  
aufstand ist

\* am 20.12.01 bei Lott  
nachfragen, falls noch

13.12.01 / AH

Lott mit Frau Lott  
bestätigt, dass Mathiet noch  
wie in mit unbekanntem  
Ziel / Aufbruch ~~unterwegs~~  
auf "Weltreise" ist

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RECHT FRANKS DUTSCH ITALIEN

Ihr Adressbook

Name

Mathiuel

Vorname

Roman

Tel., Fax, Mobile-Nr.

Ihre Werbung

Strasse, Haus-Nr.

PLZ / Ort

Kanton

Ganze Schweiz

KartenSuche

Neue Suche

Suche mit ähnlicher Schreibweise:  
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Meine Telefonnummer ist  
(Vorwahl/Nummer)

Meine Mobile Nr. ist  
(Vorwahl/Nummer)\*

\* Eintrag nur möglich, wenn ein Mobile-Abonnement gelöst wurde

☐ Werbesperre für Rufnummern

Meine E-Mail-Adresse ist

☐ Werbesperre für E-Mail-Adresse

☐ E-Mail Eintrag nur im Online-Verzeichnis (Gratis)

Mit dem Mobileeintrag in unseren Adressverzeichnissen...

Swisscom Directories AG

official swiss telephone book on the internet.

http://www.weisssseiten.ch/

20.06.2002

http://www.weisssseiten.ch/application/visualization/start\_result-tr.asp

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Telefonbucheinträge zu Mathiuet, Roman

Keine Einträge gefunden

← no entries found

Tips:

- Überprüfen Sie die Schreibweise
- Kürzen Sie die Namen und Bezeichnungen (z.B. Strassenverkehr statt Strassenverkehrsamt)
- Lassen Sie einige Felder oder Wörter weg (Es müssen *alle* ausgefüllten zutreffen!)

Eintrag suchen

Name, Vorname	<input type="text" value="Mathiuet, Roman"/>
Branche, Beruf	<input type="text"/>
Strasse	<input type="text"/>
Ort	<input type="text"/>
Kanton	<input type="text" value="Alle"/>
Telefon Nr.	<input type="text"/>

Inklusive Vorwahl (z.B. 01 oder 01 555 1234)

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(Zürich)

**PER FAX**

Gemeindeverwaltung  
z.Hd. Frau Brändli  
Einwohnerkontrolle  
8340 Hinwil

20. Juni 2002 /ZG

Sehr geehrte Frau Brändli

Wir wären Ihnen sehr verbunden, wenn Sie uns bitte eine Kontakt-Adresse von

**Herrn Roman Mathiuet** mitteilen könnten.

Herr Mathiuet war bis vor ca. einem Jahr bei der Firma KABA in Wetzikon beschäftigt, und an  
der  
Kiesweid 17, Hadlikon wohnhaft.

Im voraus besten Dank

Mit freundlichen Grüßen  
FREI PATENTANWALTSBÜRO

  
Dr. Albert Meier

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**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN  
APPLICATION DATA SHEET (37 CFR 1.76)**

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☐ The attached application, or  
☒ Application No. PCT/CH01/00207, filed on April 2, 2001,  
☐ as amended on \_\_\_\_\_ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/ we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part application, if applicable; and

All statements made herein of my/own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

**FULL NAME OF INVENTOR(S)**

Inventor one: Arno Kleinhaeni Date: X 6. Dec. 2001

Signature: X [Signature] Citizen of: CH

Inventor two: Roman Mathiuet Date: X

Signature: X Citizen of: CH

Inventor three: \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_ Citizen of: \_\_\_\_\_

Inventor four: \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_ Citizen of: \_\_\_\_\_

☐ Additional inventors are being named on \_\_\_\_\_ additional form(s) attached hereto.

Burden Hour Statement: This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is used by the public to file (and the PTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 1 minute to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.